RETIRED OFFICERS ASSOCIATION BULLETIN

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LEGISLATIVE PROPOSAL TO AUTHORIZE CREDIT FOR SERVICE AS A CADET MIDSHIPMAN OR AVIATION CADET

In the April Bulletin it was reported that a legislative proposal to credit service as a cadet, midshipman or aviation cadet for pay and retirement purposes was under consideration in Congress and the cognizant executive departments (War, Navy and Treasury), and that on February 19, 1947 Sen. Gurney introduced a bill, S. 657, for that purpose.

There has been no action in Congress on Sen. Gurney's bill, but the War, Navy and Treasury Departments have all reported favorably. It has the approval of the Bureau of the Budget. Action must await the next session of Congress. The Retired Officers Association has worked diligently to accomplish favorable action. It has requested the Senate Committee on Armed Services to be heard. For that purpose a comprehensive statement has been prepared and will be presented by the Association when hearings are held. It will likewise be furnished to members of Congress. This statement reviews the past and present legislative, administrative and judicial recognition of the status of cadets, midshipmen and aviation cadets. It makes clear that this service is on a full-time basis, and those who render it are now, and always have been, constituent parts of the armed services. The reasons which prompted Congress to disallow credit for service as a cadet and midshipman in 1912 and 1913 are analyzed in the light of present day concepts with regard to crediting of service not only for full-time active duty but for inactive service in the reserve and National Guard components. It is on the basis of these comparisons that, under modern concepts with regard to the crediting of service for pay and retirement purposes, legislation should now be enacted to credit service as a cadet, midshipman and aviation cadet.

A copy of the Association's proposed statement was submitted to Major General W. S. Paul, Director of Personnel and Administration, War Department, Rear Admiral A. T. Sprague, Chief of Naval Personnel, Navy Department, and Admiral J. F. Farley, Commandant, U. S. Coast Guard, informing those officials that the Retired Officers Association will urge favorable consideration of this legislation by the Congress, together with the statement that the proposed action by the Association was assumed to meet with their approval.

The following letter was received from the War Department:

"Your letter of 15 July, 1947 transmitting a copy of the statement which the Retired Officers Association proposes to make to the Congress with reference to S. 657, 80th Congress, a bill to credit service as a cadet, midshipman or aviation cadet for pay and retirement purposes is acknowledged with pleasure. The War Department welcomes the support of the Retired Officers Association in the attempt to secure legislation which would credit service of cadets and midshipmen for pay and retirement purposes."

The following letter was received from the Navy Department:

"Thank you very much for your letter of 15 July, and copy of the statement which the Retired Officers Association proposes to make to the Congress.

"You are correct in the assumption that proposed legislation to credit service as a cadet, midshipman, and aviation cadet for pay and longevity has been approved by the War, Navy and Treasury Departments, and it has cleared the Bureau of the Budget. I can see no objection to the proposed action by the Association."

The following letter was received from the Coast Guard:

"Reference is made to your letter of 15 July 1947 which inclosed a copy of the statement which the Retired Officers Association proposes to make to the Congress with reference to any legislation which has as an objective the crediting of cadet, midshipman, or aviation cadet service for pay, longevity, and retirement purposes.

"Your comprehensive and persuasive statement on this subject has been read with interest, and it is my opinion that the case is very clearly and forcefully presented therein. The Treasury Department very strongly supports this legislation, having urged its enactment in a letter to the Chairman, Committee on Armed Services, United States Senate, dated 1 May, 1947, which letter was approved by the Bureau of the Budget prior to its submission to the Congress.

"The Coast Guard welcomes the support of the Retired Officers Association in advocating this legislation which the armed services deserve now even more than prior to World War II."

RETIREMENT OF ARMY OFFICERS AT THE HIGHEST RANK HELD DURING WORLD WAR II

H.R. 2744, Title II of which contains provisions to authorize the retirement of Army officers in the highest temporary rank in which they served satisfactorily during World War II, was reported favorably to the House from the Committee on Armed

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Services by Rep. Johnson of California (Report No. 816) on July 9, 1947. This is the bill which contains provisions similar to those applicable to Navy, Marine Corps and Coast Guard officers in Public 305, 79th Congress. This bill was placed on the House Consent Calendar and was called up for consideration on July 21, 1947, but on objection from Rep. Keene (New Jersey) it was passed over. An identical bill (S. 1598), introduced by Sen. Maybank on July 10, 1947, is pending before the Senate Committee on Armed Services where no action has been taken. Further action on this measure must await the next session of Congress.

When this measure was brought before the House Armed Services Committee the Association appeared and testified against the inclusion of a provision which proposed to repeal the third paragraph of Sec. 15 of the Pay Readjustment Act of 1942, which authorizes retired Class "B" officers to use 75% as a multiple for the computation of their retired pay, provided they served in World War I. The statement which was presented appeared in the April Bulletin. The Association likewise pointed to other discriminations in the bill against Class "B" officers. H.R. 2744, as reported, contains none of these discriminatory provisions.

In addition, the Association recommended that military personnel who served in World War I should be given comparable consideration to those who served in World War II with reference to retirement in the highest temporary rank held, but the bill, as reported, applies only to personnel who served in World War II.

REVIEW OF PUBLIC 190 CASES

Title 1 of H.R. 2744 contains the provisions with reference to the review of the cases of officers heretofore removed from the active list of the regular Army persuant to the provisions of section 2 of the joint resolution of July 29, 1941 (55 Stat. 606), Public Law 190, 77th Congress. These provisions require the Secretary of War to review the cases of those officers who were retired as a direct result of Public Law 190. They do not contemplate the review of those cases in which officers chose voluntary retirement in lieu of following the Public 190 procedure to its final conclusion. It is understood that amendments will probably be offered to extend the scope of the proposed legislation. When this proposal was before the House Committee on Armed Services, Rep. Ellsworth appeared before the sub-committee considering the bill and vigorously recommended that the phraseology be changed to provide complete coverage. The War Department recommended against extending the provision beyond that contemplated in its present phraseology and the Committee followed the War Department recommendation.

PROPOSED PROMOTION AND RETIREMENT LAW FOR COAST AND GEODETIC SURVEY WOULD BENEFIT RETIRED OFFICERS

Section 17 of S. 1754, introduced by Sen. White and referred to the Senate Committee on Interstate and Foreign Commerce, and its companion bill (H.R. 4393), introduced by Rep. Weichel and referred to the House Committee on Merchant Marine and Fisheries, is quoted as follows:

"Sec. 17. (a) Each commissioned officer heretofore or hereafter retired pursuant to any provision of law shall be placed on the retired list with the highest rank, permanent or temporary, held by him while on active duty, if his performance of duty, in the case of a temporary rank, has been satisfactory as determined by the Secretary of Commerce in regard to officers who served in such rank under his jurisdiction, or as determined by the Secretaries of War or Navy in regard to officers who were promoted to such higher ranks in accordance with section 1 (1) of the Act of December 3, 1942 (56 Stat. 1038), while serving in the Army, Navy, or Marine Corps, and shall receive retired pay based on such higher rank.

"(b) Officers on the retired list returned to an inactive status with higher rank pursuant to subsection (2) of this section shall receive retired pay based on such higher rank."

The Retired Officers Association will strongly urge enactment of this proposed legislation.

INCREASED RETIRED PAY FOR FORMER MEMBERS OF THE LIGHTHOUSE SERVICE

On May 12, 1947, a bill introduced by Rep. Hale of Maine (H.R. 239), to permit former members of the Lighthouse Service who were taken into the military establishment of the Coast Guard to include their period of duty in the Lighthouse Service in computing their total length of service for military pay purposes, was passed by the House. It was referred to the Senate Committee on Interstate and Foreign Commerce where it is now pending.

The Retired Officers Association, on June 12, 1947, in a letter to Sen. White, Chairman of the Senate Committee on Interstate and Foreign Commerce, strongly recommended favorable action on this measure. Since that time the bill has twice been considered by the Committee where certain aspects of the costs and the retroactive application were discussed. It has been decided by the Committee to withhold final action until the next session of Congress when it will be reconsidered, at which time the Retired Officers Association will renew its recommendation.

CREDIT FOR SERVICE IN WORLD WAR I

The War, Navy and Treasury Departments have reported favorably on the MacFarland bill, S. 301, and the Bradley bill, H.R. 1035, to extend credit for World War I service so as to authorize officers who retired prior to June 1, 1942 to use 75% as a multiple for the computation of their retired pay. These bills were discussed in both the January Bulletin and the April Bulletin. There has been no committee action on S. 301. Hearings were held early in July, before Subcommittee No. 10 (Pay and Administration) of the House Committee on Armed Services, of which Rep. Blackney of Michigan is chairman, on H.R. 1035, at which time a statement was presented by the Retired Officers Association in support of its enactment. At the hearing the first witness was the author of the bill, Captain Willis W. Bradley, U. S. Navy (Retired), now a member of Congress representing the 8th District of California, and long a member of this Association, who made a vigorous statement urging prompt enactment to remove the present discrimination which exists against a few Army and Navy officers. The statement of the Association presented the details as to the discrimination and the manner in which it came about. There was testimony by representatives of the War and Navy Departments in support of enactment. The following is quoted from the statement of Rear Admiral T. L. Sprague, Chief of Naval Personnel:

"The existing provision of section 15 of this Act (Pay Readjustment Act of 1942) already authorizes the retirement of any officer of the aforementioned services who served prior to November 12, 1918, and who was retired after the effective date of the Pay Readjustment Act shall be entitled to receive retired pay at the rate of 75 per centum of his active duty pay. Several other provisions of existing law have permitted certain Army officers who retired before June 1, 1942, the effective date of the Pay Readjustment Act, to receive 75% of their active duty pay received at the time of retirement, for the same service prior to November 12, 1918.

"The bill H.R. 1035 would remove these discriminations by placing all officers meeting the service requirements on the same basis regarding retirement benefits as those now enjoyed by Army officers * * * * * *

"In the interests of equitable retirement treatment that should be accorded to all officers of the armed services, the Navy Department recommends the enactment of this bill."

At the conclusion of the hearing it was apparent that all members of the Committee present were aware of the nature of the discrimination and convinced that remedial action is necessary. The Committee concluded that the measure should have been made a part of H.R. 2744. A point concerning the application of the bill, as written, to the pay of the highest rank held in retirement was raised and the Committee felt that clarifying language is necessary. Under the circumstances, and because of the short time remaining in the session, it was decided to defer action on this measure until early in the next session of Congress. Rep. Blackney has assured the Association that he will seek early and favorable action.

REMOVAL OF RESTRICTIONS AGAINST THE HOLDING OF CIVILIAN POSITIONS UNDER THE FEDERAL GOVERNMENT

As reported in the April Bulletin there are several bills pending in Congress which propose removal or modification of restrictions against dual compensation from the Federal Government. The prohibitions against dual compensation are contained in the Act of July 31, 1894 (U.S.C. 1940 edition, title 5, sec. 62) and sec. 212 of the Act of June 30, 1932 (U.S.C. 1940 edition, title 5, sec. 59a). Last March, Admiral Sellers addressed letters to all departments and agencies concerned, and the Comptroller General, recommending the removal or appropriate modification of the present restrictions. Generally favorable replies have been received, the most favorable of which came from the Secretary of the Navy (now Secretary of Defense). Secretary Forrestal's letter of May 1, 1947 to Admiral Sellers, President of the Retired Officers Association, is quoted for your information:

"Dear Admiral Sellers:

"The subject of your letter of March 14, 1947, relating to dual employment and dual compensation for retired officers, has previously received consideration of the Chief, Office of Industrial Relations, the Judge Advocate General of the Navy, and the Chief of Naval Personnel.

"Under date of December 27, 1946, the Office of Industrial Relations, Navy Department, communicated certain recommendations on the subject to the Chairman, Council of Personnel Administration, Civil Service Commission.

"The attached draft of proposed legislation embodies these recommendations to simplify and consolidate the laws relating to the receipt of compensation from dual employments under the United States.

"I recognize the need for clarification of the subject, as pointed out in your letter, and have instructed the Chief, Office of Industrial Relations, to confer with officials of the Civil Service Commission with request that consideration be expedited in order that the Congress may consider the specific recommendations made.

"The views of the Retired Officers Association as contained in your letter, have been brought to the attention of the Chief Office of Industrial Relations, the Judge Advocate General, and the Chief of Naval Personnel.

"Sincerely yours,

"JAMES FORRESTAL."

The pertinent provision in the draft of the proposed legislation, to which Secretary Forrestal refers, is quoted as follows:

"Sec. 1. Unless otherwise specifically authorized by law, no person receiving compensation from any office or position under the United States or any department or agency thereof, or under the Government of the District of Columbia, shall be eligible to receive compensation from any other such office or position except to such extent as will not cause the combined amounts actually received at any one time to exceed the rate of $5,000 per annum, Provided: That when the compensation of either office or position amounts to or exceeds the rate of $5,000 per annum such person shall be eligible to receive the compensation of either office or position, as he may elect, but not both."

This matter is being actively considered within the departments for the purpose of evolving an appropriate legislative proposal for submission to Congress. The Association will urge prompt and favorable action to remove or modify the existing restrictions so as to enlarge opportunities for Federal employment to retired personnel both in the interest of the Government itself and of those affected.

PROSECUTION OF CLAIMS AGAINST THE GOVERNMENT BY RETIRED OFFICERS

There has been no action in Congress on the bill of Sen. Holland (S. 156) to permit retired officers of the armed forces to act as agents or attorneys for prosecuting claims against the United States. This bill is pending before a sub-committee of the Senate Committee on the Judiciary, composed of Sen. Donnell (Chairman) and Sen. McGrath. It was quoted in full in the April Bulletin.

The President of the Retired Officers Association, Admiral Sellers, in letters to the heads of the departments and agencies to which the military services are responsible, urged support of this legislation. All departments and agencies have recommended favorably to the Senate Committee on the Judiciary the enactment of this proposal. It is supported by all veteran and military organizations except the American Legion which is unable to support it as not included among the Legion's mandates. Support by the American Legion has been recommended in a resolution adopted by American Legion Post No. 24, Alexandria, Va., on June 6, 1947, which was approved by the 8th District Department of Virginia on June 29, 1947. Approval by the Department of Virginia is expected which will place the matter before the American Legion National Convention which meets in August.

Another bill, H.R. 4410, with the same objective, was introduced in the House by Rep. Bolton of Illinois, and referred to the Committee on the Judiciary on July 26, 1947. This bill is quoted as follows:

"That section 109 of the Criminal Code, as amended (U.S.C., 1940 edition, title 18, sec. 198), is amended by inserting at the end thereof the following new paragraph:

'With the exception of National Guard disbursing officers who are on a full-time salary basis, no person who is (1) a retired member of the armed forces of the United States (including the Coast Guard), (2) a member of a Reserve component thereof (including the National Guard of the United States), or (3) a member of the National Guard of a State or Territory, and who is not serving on active duty with any of such forces, shall by reason of his status as such be subject to the provisions of the first paragraph of this section: *Provided*, That such provisions shall apply in any case where any such member acts, within two years after the last date on which he served on active duty with any of such forces, as an agent or attorney for prosecuting or assisting in the prosecution of any claim against the United States involving the department in the service of which he holds a retired or reserve status.'

"Sec. 2. The second paragraph of section 113 of the Criminal Code, as amended (U.S.C., 1940 edition, title 18, sec. 203), is amended to read as follows:

'With the exception of National Guard disbursing officers who are on a full-time salary basis, no person who is (1) a retired member of the armed forces of the United States (including the Coast Guard), (2) a member of a Reserve component thereof (including the National Guard of the United States), or (3) a member of the National Guard of a State, Territory, or the District of Columbia, and who is not serving on active duty with any of such forces, shall by reason of his status as such be subject to the provisions of the first paragraph of this section: *Provided*, That nothing herein shall be construed to allow any such member to represent any person in the sale of anything to the Government through the department in the service of which he holds a retired or reserve status.'"

The Bolton bill is preferable to the Holland bill. The Retired Officers Association will join with other veterans organizations in recommending its enactment.

PAY OF ARMY & NAVY NURSES RETIRED PRIOR TO WORLD WAR II

Following the enactment of legislation to establish permanent nurse corps of the Army and the Navy, and to establish a woman's medical specialist corps in the Army, the War and Navy Departments prepared legislation for the purpose of equalizing retirement benefits among members of the Army and the Navy nurse corps who were retired prior to World War II. Proposed legislation was finally agreed upon between the departments, approved by the Bureau of the Budget, and recommended to the Congress. This legislation is contained in S. 1570, introduced by Sen. Gurney, Chairman of the Senate Committee on Armed Services, and H.R. 4070, a companion bill, introduced by Rep. Andrews, Chairman of the House Committee on Armed Services. These bills are pending before the committees but due to the short time remaining in the session after their introduction on July 17, 1947, action must await the next session of Congress. The Association is unaware of any opposition to this proposal, and will strongly recommend enactment.

This legislation provides for rank for pay purposes based upon the relative rank or grade held by Army and Navy nurses under former laws and in section 3 provides that the retired pay of each nurse shall be computed in the same manner as is now or may hereafter be provided by law for the computation of retired pay of an officer of corresponding grade and length of service in the regular Army or regular Navy. In other words, it provides for pay, under the Pay Readjustment Act of 1942, on the basis of rank and service in lieu of the much lower pay schedules, now applicable to retired nurses, contained in section 13 of the Act which, when this pending legislation is enacted, will no longer be applicable to them.

The Retired Officers Association has at all times,

in every proper manner, urged the departments to expedite rectification of this matter. This action by the Association began last year and has been continued to date. As early as February 7, 1947 the Association had a letter from the War Department giving assurance that this matter would receive most careful consideration and that appropriate action would be taken without delay. Similar assurances were received from representatives of the Navy Department. The problem was difficult and the matters before the departments so numerous that the delay, while discouraging, is understandable. Now that the legislation has been introduced we may look forward to its enactment early in the next session of Congress.

RETIREMENT BENEFITS FOR PHYSICAL INCAPACITY INCURRED ON ACTIVE DUTY EXTENDED

Public Law 178, 80th Congress, approved July 11, 1947 (H.R. 3251), amended the Act of July 24, 1941 so as to provide that an officer of the retired list of the Regular Navy or Marine Corps who incurs physical disability while serving on active duty in the same rank held by him on the retired list, shall, if not otherwise entitled thereto, receive 75 per centum of the active duty pay to which he was entitled while serving in that rank.

Section 3 of Public Law 178, 80th Congress, also provides that the provisions of the Act of July 24, 1941 may be invoked at any time in the cases of those whose temporary appointments were terminated or who were released from active duty prior to July 11, 1947. In other cases the period of six months within which proceedings before a retiring board must be commenced has been extended to a date one year after the termination of the temporary appointment or release from active duty whichever may occur later.

In view of this new law, it behooves retired officers of the Navy and Marine Corps who incurred physical disability while serving on active duty in the same rank in which they were retired, to act promptly to preserve their rights. Likewise, those otherwise subject to the Act of July 24, 1941, who incurred physical disability in a temporary higher rank, and who were released from active duty prior to July 11, 1947, without having appeared before a retiring board, should now officially request to be ordered before a retiring board.

The Retired Officers Association supported this proposal, and on April 17, 1947 recommended to the Secretary of the Navy that the time limitations contained in the Act of July 24, 1941, be extended.

EXEMPTION OF RETIRED PAY FROM INCOME TAXES

No Federal tax legislation was enacted by the first session of the 80th Congress due to the vetoes by the President of the two measures which were passed by Congress. Those measures contained a provision which would have provided a general exemption of $500.00 to all persons of sixty-five years of age or more. The 1944 report of the Public Relations Committee of the Association was submitted to the House Committee on Ways and Means on July 2, 1947. In a letter dated July 7, 1947, Rep. Harold Knutson, Chairman of the Ways and Means Committee, replied in part as follows:

"One of the subjects of special study by the Committee in the preparation of a revised federal tax structure is the proper taxable status to be assigned to the various types of pensions and annuities, military and civil, commercial, and private. In that connection, the report of your Public Relations Committee will prove useful."

The Retired Officer Association has recommended the exemption from Federal income taxes all pay allowed by law to a commissioned officer, chief warrant officer, and warrant officer on the retired list of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey and Public Health Service when he or she reaches the statutory retirement age.

STATE TAXATION OF RETIRED OFFICERS

Various states exclude or exempt, in whole or in part, the retired pay of military officers from income tax. Suggestions have been received from some of our members that the Retired Officers Association interest itself in urging an extension of this principle to those states which now provide no such benefits for retired military personnel. The Association will undertake a compilation of state laws in this respect for the purpose of maintaining the information available to its membership and for the purpose of suggesting the extension of this principle in every proper manner. Information, comments and suggestions are desired on this subject from the membership. It will be of interest to the members of the Association who live in California to know that Colonel Arthur T. Marix, our President Emeritus, informed us on July 19, 1947 that he has received a letter from the Franchise Tax Commissioner of the State of California, which in part, reads as follows:

"The taxable years beginning after December 31, 1944, retirement compensation for services in the military forces of the United States is exempt from income tax under the provisions of the California Personal Income Tax Law."

OFFICER PERSONNEL ACT OF 1947

The Officer Personnel Act of 1947 (Public No. 381) was passed by Congress on July 26, 1947, and approved by the President on August 7, 1947. Two of its provisions affect some retired Army officers.

Section 521(b) amends the Act of July 31, 1935 (49 Stat. 507), as amended (10 U.S.C. 971b) by adding the following section:

"Sec. 5a. Any officer in the permanent grade of lieutenant colonel retired after January 1, 1946, upon his own application, or for physical disability, or mandatorily by reason of reaching a prescribed age, or by reason of having completed a prescribed length of service, shall, if at time of retirement he has completed twenty-eight years or more of active Federal commissioned service and has served in any capacity as a member of the military or naval forces of the United States prior to November 12, 1918, unless entitled to be retired in a higher grade under some other provision of law, be retired in the grade of colonel with retired pay computed as otherwise provided by law for a colonel with the same length of service including all service now or hereafter credited for active duty pay purposes."

Another provision (Sec. 412A) relates to officers of the Navy and Marine Corps who were promoted

upon retirement by reason of a combat citation. Under this amendment which was adopted in the Senate and approved by the House, all officers of the Navy and Marine Corps who have received such promotions are entitled to three-fourths of the active duty pay of the grade in which serving at the time of retirement and the grade in which serving at the time of retirement shall be construed to mean the highest grade in which so serving whether by virtue of permanent or temporary appointment therein. The amendment likewise provides that "all officers heretofore and hereafter holding a rank or grade on the retired list above that of Captain in the Navy or Colonel in the Marine Corps solely by virtue of such commendation, if hereafter recalled to active duty, may, in the discretion of the Secretary of the Navy, be so recalled either in the rank or grade to which they would otherwise be entitled had they not been accorded higher rank or grade by virtue of such commendation ,or in the rank or grade held by them on the retired list." Retired officers of the rank of Captain in the Navy and below, if recalled to active duty, will be recalled in their highest ranks. As originally proposed by the Navy Department this provision would have prevented all further promotions to advanced rank for combat citations heretofore received, thus repealing the effect of former laws authorizing such promotions. It would also have required officers who have received such promotions to be recalled to active duty in the lower ranks they would otherwise have held. In that form it was passed by the House. The amendment adopted in the Senate, which has become law, was based upon a proposal by the Retired Officers Association.

TWENTY PERCENT INCREASE IN SPANISH-AMERICAN WAR AND CIVIL WAR PENSIONS

The President, on June 30, 1947, approved Public Law 270-80th Congress (H.R. 3961) which increased by 20% the pensions payable to veterans of the Spanish-American War, including the Boxer Rebellion and the Philippine Insurrection, and to the dependents of such veterans, payable under the Act of August 13, 1935 (49 Stat. 614; 38 U.S.C. 368), as amended. The same increase was made payable to Civil War veterans and their dependents. These increases become effective September 1, 1947.

The Retired Officers Association has been informed by the Veterans Administration that these increases will be automatically made. In the cases of retired officers who receive pensions in lieu of an equal amount of retired pay, the Veterans Administration must await information that the retired pay will be correspondingly reduced before increasing the pension payments.

REMOVAL OF TERMINAL LEAVE INEQUITIES

On April 29, 1947, Rep. Andrews, Chairman of the House Committee on Armed Services introduced H.R. 3253 to authorize the allowance of leave credit to officers of the Army, Navy, Marine Corps and Coast Guard who were denied such credit as the result of changes in their status between September 8, 1939 and August 9, 1946. A companion bill, S. 1644, was introduced by Sen. Guerney, Chairman of the Senate Committee on Armed Services. These bills are now pending before the committees on Armed Services of the House and Senate where action has been deferred until the next session of Congress. Both bills provide that officers of the above mentioned services who were (1) retired between September 8, 1939 and August 9, 1946; (2) recalled to active duty immediately after retirement; and (3) deprived of leave credit solely because of its having been accumulated prior to their being placed on the retired list; shall, upon application therefor, within one year after the date of enactment, be compensated for the amount of leave of which they were so deprived, not to exceed 120 days in any case. The bills then proceed to outline the manner in which reimbursement will be made.

The Association has at all times favored action on this matter, and there now appears to be uniform support for this proposal.

CASHING OF TERMINAL LEAVE BONDS

On 26 July, 1947 the President approved Public Law 254 (H.R. 4017) which authorized the cashing of terminal leave bonds after September 1, 1947. This legislation was passed by both House and Senate by unanimous vote. This action was predicted in our April Bulletin.

President Truman, in approving this legislation, urged the holders of terminal leave bonds who do not require the funds to refrain from cashing them so as to minimize the inflationary effect which would be caused by cashing the bonds.

NAVAL ACADEMY ALUMNI ASSOCIATION EMPLOYMENT SERVICE EXPANDED

Increasing need for assistance in planning a job hunting campaign for former naval officers has caused the U. S. Naval Academy Alumni Association to expand its employment service so that it can most effectively serve officers desiring help in this field. Commander Ralph A. Sentman, U. S. Navy (Retired) has been appointed as employment consultant. Any naval officer or former naval officer desiring information on service available should write U. S. Naval Academy Alumni Association Employment Service, Suite 801, 1507 "M" Street, N. W., Washington 5, D. C. More than 100 teaching positions in colleges and universities, principally in engineering and the sciences, are now available.

RECOGNITION OF RETIRED PERSONNEL AS REPRESENTATIVES IN THE PRESENTATION OF CLAIMS TO THE VETERANS ADMINISTRATION

Public Law 316, approved August 1, 1947, is quoted as follows:

"That section 200 of Public Law 844, Seventh-fourth Congress, approved June 29, 1936, is hereby amended by adding at the end thereof the following:

'The presentation or prosecution of a claim under laws administered by the Veterans Administration by an officer or

enlisted man retired from the military or naval forces of the United States as a recognized representative of an organization specified in or approved under this section shall not be deemed a violation of the provision of Eighteenth United States Code, sections 198, 203; Fifth United States Code, section 99, or any other law.' "

Section 200 of Public Law 844, Seventy-Fifth Congress, approved June 29, 1936, is quoted as follows:

"Sec. 200. The Administrator of Veterans' Affairs is hereby authorized to recognize representatives of the American National Red Cross, the American Legion, the Disabled American Veterans of the World War, the Grand Army of the Republic, the United Spanish War Veterans, Veterans of Foreign Wars, and such other organizations as he shall approve in the presentation of claims under statutes administered by the Veterans' Administration. However, no such representative shall be recognized until a certificate has been filed in the Veterans' Administration, under such rules as the Administrator of Veterans' Affairs may prescribe, certifying that no fee or compensation of whatsoever nature shall be charged veterans or the dependents of veterans for service rendered. The rules prescribed by the Administrator of Veterans' Affairs shall contain a provision requiring in each claim the filing of a power of attorney in such manner and form as the Administrator of Veterans' Affairs may prescribe. The Administrator of Veterans' Affairs is further authorized in his discretion, under such regulations as he may prescribe, to recognize any person for the purpose of a particular claim under the conditions and limitations of this section."

The Rules and Regulations of the Administrator of Veterans' Affairs require Congressional incorporation of veterans' organizations in order to qualify for recognition as representatives in the prosecution of claims. This requires an Act of Congress in each case. This matter will be discussed at the next meeting of the Board of Directors, when proposed legislation providing Congressional incorporation of the Retired Officers Association will be considered for introduction in the next session of Congress. In the meantime the Association will continue to advise its members and their dependents how best to proceed in reference to their claims before the Veterans' Administration.

To RETIRED OFFICERS ASSOCIATION,
1600 Twentieth St., N. W., Washington 9, D. C.

Date .....

Gentlemen:—

You may enroll me as a member of the Retired Officers Association. Inclosed is check for $5.00:

Entrance fee	$1.00	
Annual dues	4.00	*Fifty cents of which is for subscription to Association Bulletin.*
	$5.00	

Name .....
(Please Print)

Rank and Service .....

Mailing Address .....

City ..... Zone ... State .....

JOINT PAY COMMITTEE COMMENCES STUDY OF PAY AND RETIREMENT

The Joint Pay Committee, headed by Vice Admiral Wm. M. Fechteler, USN, met on August 14, 1947 to plan its study of pay and retirement in the armed services. In addition to Admiral Fechteler, the Committee includes the following members: *Army and Air Forces*—Brig. Gen. John E. Dahlquist, Brig. Gen. Robt. W. Burns, AC, Col. Thomas P. Walsh, Col. Walter R. Hensey, Jr., Col. J. R. Ulricson, AC, Lt. Col. John E. Kirk, and Lt. Col. John L. Schaefer. *Navy*—Capt. Jos. B. Hoyt, Capt. Ben S. Custer, Lt. Oliver E. Emmons, and Mr. Pierson Brown. *Marine Corps*—Brig. Gen. Merritt B. Curtis and Col. John Halla. *Coast Guard*—R.Adm. Raymond T. McElligott, Capt. Russell E. Wood, and Comdr. Chas. B. Arrington. *Coast and Geodetic Survey*—Comdr. Francis L. Gallen and Comdr. John A. Bond. *Public Health Service*—Dr. W. P. Dearing.

The Committee will conduct a comprehensive study of all matters concerning pay and retirement and will submit a report to the heads of the departments having cognizance of the related military services for use within the executive and legislative branches of the Government. When the facts concerning the relatively low level of pay of the military services as compared to other Government services and to industry are brought to the attention of those in authority, legislation looking to increased pay should follow. Any such increase should, of course, be comparably applicable to retired personnel. The Association has in its files some statistical information on the comparison between military pay and the pay of certain governmental and industrial vocations which illustrates how far behind military pay has been permitted to lag. It is intended to make this information available to the Joint Pay Committee. Comments and suggestions from the membership are requested.

The joint pay study will include consideration of a pension plan to provide life-time payments to officers' widows. That such a plan has long been needed is recognized by the Committee. Since retired pay ceases upon death, widows of retired officers receive no further benefits, unless derived from war pensions which are woefully inadequate. Such a plan could provide for some form of contributory payments during active duty similar to that employed by the Civil Service or it could permit application on the part of a retired officer to have a portion of his retired pay withheld for the benefit of his widow as now permitted to personnel of the Foreign Service under present law (Act of Feb. 23, 1931 (46 Stat. 1207), as amended by the Act of Apr. 24, 1939 (53 Stat. 588) and Public Law 724—79th Cong.). Whatever is done, the plan should contemplate retroactive application so as to apply to the widows of those retired prior to its adoption. The Retired Officers Association will recommend such action.

"TERMINATION OF THE WAR" DECLARED

With the approval on July 25, 1947 by the President of Sen.J.Res. 123, many deadline dates for

rights, benefits and privileges of veterans of World War II became fixed. These include the following:

Until Jan. 1, 1948—Reinstatement of NSLI term insurance without physical examination.

Until July 1, 1948—Free automobiles for leg amputees.

Until Aug. 1, 1948—Beneficiary receiving NSLI payments prior Sept. 30, 1944 may change Option from Option One to Option Two.

Until Sept. 1, 1948—Applications for terminal leave pay may be made (under present law, but see item on terminal leave inequities in this Bulletin).

Until Jan. 1, 1950—Original applications for NSLI can be made. Such applications will be granted despite any disability incurred or aggravated in military service. Total disability insurance will be granted despite injury or disability incurred in service.

Until July 25, 1951—Veterans who die within three years of release from active duty will be considered fully insured and to have received $160 per month during active service to fix benefits due next-of-kin under Social Security Act.

Until July 25, 1956—Education and training under GI Bill and Public Law No. 16 must be completed.

Until July 25, 1957—Applications for loan guarantee for purchase of homes, farms and businesses under GI Bill may be made.

Until July 25, 1947 or 4 Years After Discharge (whichever is later)—Educational rights under GI Bill and Public Law No. 16 may be commenced.

5 Years After NSLI (If after Jan. 1, 1946) or 8 Years After NSLI (if before Jan. 1, 1946)—Insurance may be converted to permanent types.

These and many other rights, benefits and privileges are affected by the approval of Sen.J.Res. 123. Further information may be had upon request.

TO OUR MEMBERS

The Association is now vigorously engaged in a membership drive—THE GOAL 10,000 MEMBERS. Spearheading this drive is Lieutenant C. C. Drake, U. S. Coast Guard (Retired), whose services, as a Special Assistant to the Executive Vice President, the Association is now fortunate in having. The drive was launched on August 1, 1947, and is now well underway. It needs the support of all. Each member is earnestly requested to obtain at least one new member for the Association.

This Bulletin illustrates in general the activities of the Association in Washington. These activities include all manner of services to the members of the Association, their widows and dependents. It is our desire to extend these services, which requires the maintenance of an adequate staff in Washington. Hence, we must have a greatly increased membership. It will be to our mutual advantage to make it so. There is an application blank published in this Bulletin. Turn it over to one of your retired friends who is not a member and urge him to join.

All members who are active in alumni associations, class associations, retired officers groups, and other similar organizations throughout the country, please write the Association and let us know who they are so that we may furnish them with the necessary information to participate in our membership drive.

The work here at Headquarters in Washington is voluminous, and is daily increasing in accordance with the increase in the scope of our activities. We welcome comments, suggestions and questions. Our ability to act on them, however, increases as purely routine work is kept within bounds. Consequently, the members will greatly assist us in responding promptly to such routine correspondence as dues reminders and the like. Much time will thus be saved to more important work.

Many of our life members are electing to place themselves on a dues-paying status. They do this willingly when they realize how much the Association needs funds in order to support its activities. Those of our life members who have not heretofore done so and who can afford it are encouraged to do likewise.

It will be helpful if all members who are practicing attorneys will please notify us of their office address and the type of practice in which they are engaged.

If your name, rank and address, as listed on the last page of this Bulletin, is not correct in all respects, will you please appropriately advise the Association?

FROM OUR MEMBERS

The following is a letter, dated 15 July, 1947, received from Captain Hugh M. Gregory, U. S. Army (Retired), 185 Summer Street, Buffalo, New York:

"I have several times in various professional associations risen to remark that the appropriate technique for solution of the problem being faced was to spend more money, improve the service and watch the increase in membership and income.

"When we were polled sometime back about going into a dues-paying plan I indicated that I might at a future date make a switch. Parenthetically I should remark that when a few years ago I paid up a life membership one of my friends, also retired, questioned 'WHY'?

"The increased activity of the Association both in quantity and in purposive direction merits more than mere commendation. Captain Willenbucher's statement against the pay cut for Class "B" officers of World War I is an outstanding example of the newer service offered, not merely to members but to retired officers generally. The reminder that more service could be counted for fogie pay is another case of service to members which should not go unrequited.

"Acting on information found in the bulletin I recently received a check in payment of adjustment amounting to $454.82 and my monthly stipend has increased by $8.62.

"You may put me on a dues-paying status. Enclosed please find my check for $4.00."

RETIRED OFFICERS ASSOCIATION BULLETIN
1600 Twentieth Street, N.W.
Washington 9, D. C.
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